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SIPDIS

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EUR/OHI -- E. NAKIAN

E.O. 12958: N/A

TAGS: [PHUM](#) [PREL](#)

SUBJECT: ITS DEMARCHE -- BELGIANS RACING AGAINST CLOCK TO  
SECURE RATIFICATION BY EARLY MAY, SEEK USG STATEMENT ABOUT  
PRIVACY

REF: SECSTATE 40845

[1](#)1. (U) Action request -- see paragraph three.

[1](#)2. (U) With legal formalities expected to be concluded during the first few days of April, the Belgian government will press both chambers of the legislature to ratify the Bonn Accords opening access to the ITS archives before parliament's dissolution in early May 2007. Acting MFA Legal Adviser Verryken told polcouns and German DCM the Foreign Minister had urged the parliamentary leadership to ensure this international agreement did not get lost in the shuffle as parliamentarians rushed to complete their work before hitting the campaign trail. Verryken's information generally tracked with comments FM De Gucht made recently to visiting U/S Burns, and to assurances given us by the Prime Minister's staff. If the parliament does not act prior to dissolution, the next parliament would have to resume the process from square one.

[1](#)3. (U) Verryken promised to give careful study to the U.S. proposal on allowing technical transfer of material to national repositories before the amendments come into force. He noted parenthetically that the Belgian authorities may decide like Luxembourg not to request copies of the archival material. Since preparation of an instruction booklet for using the material into Dutch and French is likely to be very costly, the Belgians may instead urge their nationals to visit the Bad Arolsen archives. The Belgians also intend to ask their Benelux partners and the French about developing a mutually compatible system for accessing the material.

[1](#)3. (U) Action Request: In preparation for possible queries from Parliament, Verryken asked if the USG could provide a formal explanation of how access to and use of any material in the archives will be affected by U.S. privacy regulations. He raised this topic because one member of the Council of State (the legal body that must pre-clear legislation), posed the question when the agreement was under consideration. Any parliamentarian determined to throw up an obstacle to quick passage could use this issue when the agreement is before the Senate or House Foreign Affairs committees. Note: the Belgians told us that the Council was satisfied by a statement that "All EU countries provided an equivalent level of privacy protection" to that available to Belgian citizens." Embassy urges department to provide appropriate

language as quickly as possible. Imbrie  
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